

REMARKS

Claims 1-8 are pending in this application and stand rejected. By way of this amendment, claims 1, 2 and 4 have been amended, and new claims 9-15 have been added.

In the Office Action mailed March 1, 2007, the Examiner objected to the abstract of the disclosure as being too long. Applicant has amended the abstract accordingly to reduce its length.

In addition, the specification was objected to on the grounds that trademarks such as "Dr. Scholl's" and "Mylar" should be capitalized wherever they appear and be accompanied by generic terminology. Applicant has amended the specification accordingly.

Claims 1-8 were rejected under 35 U.S.C. 112, first and second paragraphs. Claims 1 and 2 have been amended to overcome the rejections.

In addition, claims 1-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0013300 (300) in view of US 6,303,140 ('140), and further combined teachings of US'300 and US '140 in view of US 2005/0042267. Applicant respectfully traverses the rejection.

In the Office Action, the Examiner alleges that the disclosure of a sponge made of collagen in US '300 "reads on the medicated hydrocolloid patch and also reads on [the] foam cover." Applicant respectfully disagrees. A hydrocolloid is a substance that yields a gel when mixed with water. (Merriam-Webster Online Dictionary) Collagen is the fibrous protein constituent of bone, cartilage, tendon and other connective tissue, and is converted into gelatin when boiled. (American

Heritage Dictionary) A collagen sponge is in no way the same thing as a hydrocolloid patch. Accordingly, claim 1, and claims 2-7, which depend on claim 1, are allowable over the cited prior art.

New independent claims 9 and 15 are allowable for the same reasons discussed above with regard to claim 1. In addition, new claim 9, and claims 10-14, which depend on claim 9, are allowable, because the cited prior art does not disclose or suggest a kit for treating a corn or callous that includes a plurality of patches medicated with salicylic acid adapted for being trimmed to conform to the shape and size of the corn or callus, and foam protective covers for covering the trimmed medicated patch to limit migration of the salicylic acid. Such a feature helps minimize contact between the salicylic acid and healthy skin. Likewise, new claim 15 is allowable, because the cited prior art does not disclose or suggest a method for treating a corn or callous that includes the steps of trimming the medicated patches to conform to the shape and size of the corn or callus, and covering the medicated patches with the foam protective cover.

For the reasons stated above, the application is now in a condition for allowance. Therefore, Applicant respectfully asks that a timely Notice of Allowance be issued in this case. The Director is hereby authorized to charge any additional fees or any underpayments which may be required for the above-referenced application to Deposit Account No. 01-0265.

Respectfully submitted,

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